

Assurance of Voluntary Compliance

**Pursuant to section 112.7 of the
*Ontario Energy Board Act, 1998***

Wellington North Power Inc.

EB-2023-0347

December 8, 2023

I. STATEMENT OF FACTS

On November 8, 2023, the Ontario Energy Board's (OEB) Vice President, Consumer Protection & Industry Performance sent a letter to licensed electricity distributor Wellington North Power Inc. (WNP). The OEB's letter advised that because the utility had not implemented Green Button by November 1, 2023 as required in Ontario Regulation 633/21 (the Regulation), effective November 2, 2023, the utility was out of compliance with the Regulation.

WNP is an electricity distributor serving approximately 3,900 mostly residential and commercial electricity customers in the Town of Mount Forest, Village of Arthur, and Village of Holstein. Despite advising OEB staff that it was on track to implement Green Button on time via the quarterly "Green Button Implementation Distributor Progress Report"¹, WNP did not successfully implement, or have available to its customers, Green Button as required under the Regulation by November 1, 2023. And, prior to November 1, 2023, WNP did not apply to the OEB for an extension of time to implement Green Button as per the Regulation.²

WNP's CEO / President responded to the OEB's letter on November 17, 2023 accepting that, effective November 2, 2023, WNP was out of compliance with the Regulation.

WNP successfully implemented Green Button on November 16, 2023.

II. ASSURANCE

WNP acknowledges that it was out of compliance with the requirements to make Green Button available to its customers per the Regulation from November 2, 2023 to November 15, 2023 inclusive.

To remedy the contravention of the Regulation, WNP assures the OEB that it will take the following measures:

1. WNP will make a payment of \$3,500³ to the LEAP agency serving customers in the utility's service territory. The LEAP payment will be paid as a lump sum within 90 days of the acceptance of this AVC by the OEB.
2. At the time of the LEAP contribution, WNP will notify customers of the contribution and this AVC, in a form and manner to be approved by the OEB.

III. ADMINISTRATIVE PENALTY

¹ [Letter re: Green Button – Quarterly Reporting on Green Button Implementation \(Feb 2, 2022\) \(oeb.ca\)](#)

² 5. (1) An energy provider may apply to the Board for an extension of the time period to comply with subsection 25.35.8 (2) of the Act and sections 2 to 4 of this Regulation.

³ LEAP Amount is equal to annual LEAP funds approved in WNP's last Cost of Service application EB-2020-0061 (Decision & Order page 142, section 1.2)

WNP agrees to pay an administrative penalty to the OEB in the amount of \$750. Payment will be made electronically with notice sent to the Registrar, within four weeks of the acceptance of this AVC by the OEB.

IV. CONSUMER RIGHTS

Nothing in this AVC affects any rights a consumer may have under any applicable law.

V. FAILURE TO COMPLY

WNP acknowledges that this AVC has the same force and effect as an order of the OEB pursuant to section 112.7(2) of the OEB Act.

VI. EXECUTION OF ASSURANCE

I have the authority to bind Wellington North Power Inc. to the terms set out in this AVC.

Name: Raymond Petersen

Title: CEO / President

Signature:

A handwritten signature in black ink, appearing to read "R. Petersen", written over a horizontal line.

Dated this 8th day of December, 2023